

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

AMY MCBRIDE,	:	CIVIL ACTION NO. 1:13-CV-2336
Plaintiff,	:	
	:	(Chief Judge Conner)
v.	:	
	:	
LEBANON COUNTY COMMISSIONERS,	:	
<i>et al.</i>,	:	
Defendants.	:	

ORDER

AND NOW, this 4th day of November, 2013, upon consideration of the report of Chief Magistrate Judge Martin C. Carlson (Doc. 11), wherein the magistrate judge recommends that the court dismiss the complaint (Doc. 1) to the extent the *pro se* plaintiff seeks to bring claims against a prison facility in which she is no longer housed because such claims are barred as moot (Doc. 11 at 7–9), but otherwise recommends that the court permit the *pro se* plaintiff to proceed with her claims to the extent they relate to alleged constitutional violations at the Lebanon County Prison where she is currently housed, (*id.* at 10), and, after an independent review of the record, and noting that the *pro se* plaintiff filed a motion for reconsideration of the magistrate judge’s report on October 28, 2013, and the court electing to construe that motion as plaintiff’s objections to the report,¹ and the court finding Judge Carlson’s analysis to be thorough,

¹ Where objections to a magistrate judge’s report and recommendation are filed, the court must perform a *de novo* review of the contested portions of the report. Supinski v. United Parcel Serv., Civ. A. No. 06-0793, 2009 WL 113796, at *3 (M.D. Pa. Jan. 16, 2009) (citing Sample v. Diecks, 885 F.2d 1099, 1106 n. 3 (3d Cir. 1989); 28 U.S.C. § 636(b)(1)(c)). “In this regard, Local Rule of Court 72.3 requires ‘written objections which . . . specifically identify the portions of the proposed findings, recommendations or report to which objection is made and the basis for those objections.’” *Id.* (citing Shields v. Astrue, Civ. A. No. 07-417, 2008 WL 4186951, at *6 (M.D. Pa. Sept. 8, 2008)).

well-reasoned, and fully supported by the record, and the court further finding *pro se* plaintiff's objections to be without merit and squarely addressed by Judge Carlson's report, it is hereby ORDERED that:

1. The motion (Doc. 18) for reconsideration of the magistrate judge's report (Doc. 11) is CONSTRUED as the *pro se* plaintiff's objection to the report and is DENIED to that extent.
2. The motion (Doc. 16) for extension of time to respond to the magistrate judge's report (Doc. 11) is DENIED as moot.
3. The report of Chief Magistrate Judge Carlson (Doc. 25) recommending dismissal of plaintiff's claims against the York County defendants but allowing plaintiff to proceed against the Lebanon County defendants is ADOPTED in its entirety.
4. The plaintiff's claims against defendants Steve Chronister, Doug Hoke, Chris Reilly, and Donald Rukert are DISMISSED with prejudice.
5. The United States Marshals Service is directed to serve the *pro se* plaintiff's amended complaint (Doc. 8) on the remaining defendants.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania